

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 07/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

JUN 09 2022

Nathan Ochsner, Clerk of Court

Richard Allen Paz 180707
Plaintiff's Name and ID Number Montgomery county Jail
1-criminal Justice Drive
Conroe, TX. 77301
Place of Confinement

CASE NO. _____
(Clerk will assign the number)

v. KENNETH "Rowdy" Hayden
21130 U.S. Hwy 59, Suite C
New Caney, Texas 77357-8282
Defendant's Name and Address

CONSTABLE PCT. 4 (Name unknown)
Defendant's Name and Address

Constable PCT. 4 (Name unknown)
Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of **\$402.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? YES ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: N/A
 2. Parties to previous lawsuit:

Plaintiff(s) N/A

Defendant(s) N/A
 3. Court: (If federal, name the district; if state, name the county.) N/A
 4. Cause number: N/A
 5. Name of judge to whom case was assigned: N/A
 6. Disposition: (Was the case dismissed, appealed, still pending?) N/A
 7. Approximate date of disposition: N/A

II. PLACE OF PRESENT CONFINEMENT: MONTGOMERY COUNTY Jail, Conroe Texas

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? YES ☒ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

NOT a Jail law suit

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Richard Allen Paz, 180707, Montgomery, #
COUNTY Jail, one criminal Justice Dr., Conroe, TX.,
77301

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Kenneth "Rowdy" Hayden, constable PCT. 4, 21130
U.S. Hwy 59, suite C, New Caney, TX. 77357-8282

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Has NO control of his constables, making illegal arrest, false charges against citizens, illegal search/seizure, not in their jurisdiction.

Defendant #2: Name unknown, they will not tell me the Name of all constables involved in the illegal arrest.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Tore down slats of wooden fence, had no warrant, illegal search seizure, illegal entry, tore down our video/audio in the house.

Defendant #3: Name unknown, will not tell me the Names of constables involved in illegal arrest

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. No warrant, illegal search/seizure, illegal arrest, tore down fence, video/audio cameras.

Defendant #4: Name unknown, will not tell me the Names of constables in illegal arrest

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. illegal search/seizure, tore slats off fence, illegal entry, no warrant, destroyed property tore audio/video down.

Defendant #5: Name unknown, will not tell me the Names of constables in illegal arrest.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

destroyed fence, inside house, illegal search/seizure, No warrants, tore cameras/audio off the house, although one stayed on, have all this on video, will be re-leased to T.V. Stations & newspapers. False charges false imprisonment.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

On 04/11/2022, at approximately between the hours of 9:00 and 10:00 AM, PCT 4, constables arrived at 13087 Crystal Trail, Conroe, Texas 77306, under false pretence's, allegedly looking for a female under the name (Callie) who did not, does not, nor has ever lived there, The above mentioned addressed. They had No warrants for someone named Callie nor anybody else. The address is located in Montgomery County, PCT. 2 or Cut and shoot Texas, PCT. 4 was not in hot Pursuit, nor ~~were~~ were they in their jurisdiction. continued pg 6

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. To rule in favor of plaintiff grant monetary damages, punitive damages, compensatory damages, court cost attorney fees, from each defendant in the sum of \$25,000.00 each, under all damages, in their individual & official capacity. To enter a restraining order from retaliation by PCT. 4 constables on any other law enforcement - illegally.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Richard Allen Paz

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

275193; 395755; 447549

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): N/A

2. Case number: N/A

3. Approximate date sanctions were imposed: N/A

4. Have the sanctions been lifted or otherwise satisfied? N/A YES NO

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): N/A
 2. Case number: N/A
 3. Approximate date warning was issued: N/A

Executed on: 05/02/2022
DATE

Richard Allen Paz
Richard Allen Paz
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 2nd day of May, 2022.
(Day) (month) (year)

Richard Allen Paz
Richard Allen Paz
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

The head constable of PCT. 4, Kenneth "Rowdy" Hayden, his nickname speaks for itself, has no control over his PCT. 4 constables, who break & violate citizens state, federal, & U.S. constitutional fundamental Rights, both civil and criminal. They will not give me all nor any of the constables names at the above mentioned address, of the illegal warrantless arrest, raid, search/seizure, they tore down wooden slats to the fence, to gain entry to the back yard, asked if the cameras around the house worked, when I told them yes, they tore cameras off the house, they did not get one, that has them being videoed, breaking the law, tearing up personal property of the homeowner, at that address. This video is being made copies of, to send to T.V. Stations, & Newspapers, proving total disregard by all PCT. 4 constables of Montgomery County. They are harassing me, family, & friends. They have illegally arrested me, twice, four others in the house illegally.

I preserve the right to amend, names, damages & or certain rights in this lawsuit. I am not an attorney, beseech the court to please appoint counsel in this serious matter.

To order all names/constables involved there names, rank be given to me, for purposes of this lawsuit.

That a hearing be held as proof of there wrong doing, Right to add Plaintiffs or class action vs. PCT. 4 - Montgomery County.

Richard A. Paz
180707 C-4-B
The Criminal Justice Dr.
Conroe, TX. 77301

United States Courts
Southern District of Texas
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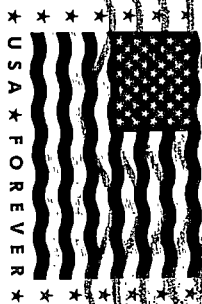
Nathan Ochser, Clerk of Court

MS. Darlene Hansen
U.S. District Clerk
Room 5401

Legal
Work

Bob Cassay U.S. Courthouse
515 Rusk St.

HOUSTON, TX. 77002



7 JUN 2022

NORTH HOUSTON

